



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**  
Division of Health Service Regulation

**ROY COOPER** • Governor  
**MANDY COHEN, MD, MPH** • Secretary  
**MARK PAYNE** • Director

**MEMORANDUM**

**DATE:** October 1, 2019  
**TO:** Interested Parties  
**FROM:** Nadine Pfeiffer, Rule Review Manager *NP*  
**RE:** Proposed Readoption of Radiation Protection Rules – 10A NCAC 15

GS 150B-21.2 requires a rule-making body to notify certain individuals of its intent to adopt a rule. It also requires notification of the date, time and location of the public hearing on the rule and any fiscal analysis that has been prepared in connection with the proposed rule. These rules are being readopted as a result of the periodic review of the Subchapter 10A NCAC 15 rules, requiring rules determined as “Necessary With Substantive Public Interest” be readopted.

The North Carolina Department of Health and Human Services/Secretary has submitted form OAH 0300 to the Codifier of Rules, Office of Administrative Hearings, indicating its intent to proceed with the following rule-making actions:

10A NCAC 15      Radiation Protection

10A NCAC 15 .1102	Payment Due (Readopt)	
10A NCAC 15 .1106	Radioactive Materials and Accelerator Fee Amounts	(Readopt)

In accordance with G.S. 150B-21.3A(d)(2), a fiscal analysis was prepared for rules with substantive change. Approval of the fiscal analysis was obtained from the Office of State Budget and Management on August 2, 2019 in accordance with G.S. 150B-21.4. In accordance with G.S. 150B-21.3A(d)(2), no fiscal analysis is required for readoption rules without substantive change.

The proposed rule text is attached to this memo. The rules were published in today’s October 1, 2019 edition of the N.C. Register which can be found at the Office of Administrative Hearings web site at <https://www.oah.nc.gov/documents/nc-register>.

A public hearing is scheduled for November 13, 2019 at 10:00 a.m. in Room 026, Edgerton Building, 809 Ruggles Drive, Raleigh, NC 27603. The building is in the Dorothea Dix Park. Ms. Nadine Pfeiffer, DHSR Rule-Review Manager, is accepting public comments on these rules from October 1, 2019 – December 2, 2019. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is March 1, 2020.

A copy of the proposed rules and instructions for submitting comment can be found at the Division of Health Service Regulation web site at <https://info.ncdhhs.gov/dhsr/ruleactions.html>.

**NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION**

**OFFICE OF THE DIRECTOR**

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Please feel free to contact the Radiation Protection Section at (919) 814-2250, should you have questions related to this memorandum or the proposed rules.

Enclosures

cc: Mark Payne, Director, Health Service Regulation  
Emery Milliken, Deputy Director, DHSR  
Joel Johnson, Assistant General Counsel, DHHS  
Lee Cox, Chief, Radiation Protection Section  
James Albright, Radiation Protection Section  
David Crowley, Radiation Protection Section